

REMARKS/ARGUMENTS

Claims 14-24 and 31-43 are pending. By this Amendment, new claims 32-43 are added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

At the outset, Applicants respectfully request that the Amendment After Final Rejection filed on August 29, 2008 be entered in view of the filing of the attached Request for Continued Examination. The present Amendment builds from the August 29, 2008 amendment, by adding new claims 32-43.

New independent claims 32 and 36 are similar to claims 14 and 18, but claim 32 combines the subject matter of prior claims 14 and claim 28, and new claim 36 combines prior claims 18 and 29. Based on the subject matter claimed in claims 32 and 36, as well as claims 14 and 18, Applicants believe that the only possible rejection that needs to be addressed from the final rejection is the rejection based on the combination of Johansson and Born. In the Office Action, Johansson is relied upon to show a call switch. However, there is no suggestion to modify Johansson to provide it with Born's mat and also to disable Johansson's call switch based on the mat signals. There is simply no reason to make this leap or link, absent the use of impermissible hindsight. In fact, in reviewing the Office Action, there is no assertion that it would have been obvious to associate the mat with the call switch. Instead, the Examiner simply states that it would have been obvious to provide Johansson with Born's mat to prevent injuries. Then the Office Action simply states that Johansson teaches calling switches, without linking the function of the call switch to the function of the mat, as claimed.

In addition, it appears that the rejection of claims 28 and 29 is not only substantially flawed (because there is no link between the mat and the switch), but it is also technically flawed

because it is based solely on the Johansson/Born combination, whereas independent claims 14 and 18 (from which claims 28 and 29 depend) were rejected based on Born alone under 35 U.S.C. §102, or the Born/Muranaka combination under 35 U.S.C. §103. The rejection of claims 28 and 29 does not build from either the Born rejection or the Born/Muranaka rejection, rather it is Johansson that is being modified in view of Born, not a further modification of Born or Born/Muranaka in view of Johansson. In any event, Applicants respectfully submit that it is not obvious to modify Born to include a calling switch and it also is not obvious to use the mat to deactivate Johansson's calling switch.

Prompt and favorable examination on the merits is earnestly solicited.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140 under Order No. PTB-5091-9.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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